IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 29TH AUGUST 2006 / 7TH BHADRA 1928

Bail Appl..No. 5277 of 2006

O.R.NO.25/2006 OF FOREST RANGE, THAMARASSERY

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PETITIONER:

T. SAJEEV KUMAR, AGED 32 YEARS,
S/O. SUNDARAN, THANIKKAL HOUSE,
PUTHIYARA P.O., KOZHIKODE.

BY ADV. SRI.KRISHNADAS P. NAIR
SRI.HARIDAS P.NAIR
SRI.M.A.VINOD
SMT.K.L.SREEKALA

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5277/2006

DATED THIS THE 29TH DAY OF AUGUST, 2006

O R D E R

The petitioner is accused of the offence punishable under Sections 2(1), (14), (16), (36), (37); 9; 50 (a) and 51 of the Wild Life (Protection) Act, 1972.

2. The allegation is that the petitioner, who is the first accused, is conducting an aquarium in the name and style of 'Mass Aquarium'. However, the Forest Range Officer of Thamarassery, received a secret information that he had caged two jungle cats and one Pam Civet (Toddy Cat) of age of two months each. Therefore, the Forest Range Officials inspected the place of occurrence. They found that both the cats as well as the Pam Civet were kept in a cage. They were seized by the Forest Range officials, and accordingly O.R.No.25/2006 of the Forest Range Office, Thamarassery, had been registered against the petitioner, for the offence, as stated above. The animals were handed over to the Thrissur zoo. The

petitioner is before this Court, under Section 438 Cr.P.C.

3. I heard the arguments, advanced by either side. Considering the legal and factual situations placed before me, I direct the petitioner to surrender before the Forest Range Officer, Thamarassery, on 1.9.2006 between 10.30 a.m and 11.00 a.m.

4. The Investigating Officer shall interrogate the petitioner and thereafter, produced him before the Judicial Magistrate of First Class, Thamarassery, on the same day, at 4.30 p.m. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions, as are deemed necessary.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs